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COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

SUBDIVISION REVIEW BOARD

MEETING DATE 9/12/2005	CONTACT/PHONE Elizabeth Kavanaugh (805) 788-2010	APPLICANT Christopher Kregger, Loralee Kregger, Kenneth Lerno, and Alphons Lerno	FILE NO. CO 03-0372 S030159P
SUBJECT Request by Christopher Kregger, Loralee Kregger, Kenneth Lerno, and Alphons Lerno for a Vesting Tentative Parcel Map to subdivide two existing parcels of 2.98 and 1.63 acres into three 1.0 acre parcels and one 1.61 acre parcel for the purpose of sale and/or development. The proposed project is within the Residential Suburban land use category and is located at 1918 J Street in the community of Santa Margarita. The site is in the Salinas River planning area.			
RECOMMENDED ACTION 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Vesting Tentative Parcel Map CO 03-0372 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on July 28, 2005 for this project. Mitigation measures are proposed to address air quality, cultural resources, geology and soils, noise, recreation, and wastewater as conditions of approval.			
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 069-133-030, 034	SUPERVISOR DISTRICT(S) 5
PLANNING AREA STANDARDS: Santa Margarita Community Design Plan Compliance			
LAND USE ORDINANCE STANDARDS: Minimum Parcel Size; Setbacks; Noise; Parcel and Site Design Criteria			
EXISTING USES: 2 Single Family Residences (one on each existing lot), horse pasture			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Suburban/ Single Family Residences South: Residential Suburban/ Single Family Residences		West: Residential Suburban/ Single Family Residences East: Residential Suburban/ Single Family Residences	
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</small>			

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OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Santa Margarita Community Advisory, Public Works, Environmental Health, County Parks, Santa Margarita Fire Protection District, County Service Area 23, APCD, Cal Trans, County Assessor	
TOPOGRAPHY: Gently sloping	VEGETATION: Annual grasses
PROPOSED SERVICES: Water supply: Community System – CSA 23 Sewage Disposal: Individual septic system Fire Protection: Santa Margarita Fire Protection District	ACCEPTANCE DATE: 12/27/2004

ORDINANCE COMPLIANCE:

Minimum Parcel Size

Section 22.22.070 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Suburban land use category. The standards are based on the topography of the site and the type of water supply and sewage disposal. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for 1 acre parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Slope	Average slope is between 0 and 15%	1 acres
Water Supply and Sewage Disposal	Community water On-site septic	1 acres

Noise Standards

The project site is located on Highway 58 and is subject to noise levels generated from traffic along this corridor. The County's Noise Element identifies future noise levels along this section of Highway 58 as 65 dB. This is higher than the allowable daytime level of 60 dB for residential uses. To ensure future residences of this property will not be impacted by the noise generated from Highway 58, a 139-foot building restriction line from the center line of Highway 58 is a condition approval for all future construction.

Setbacks

Section 22.10.140(E) of the Land Use Ordinance establishes side setback standards. The required side setback is 10 percent of the lot width to a minimum of 30 feet on sites of one acre or larger within an urban or village area. As all proposed lots are an acre or larger and have a width of less than 300 feet, the minimum 30-foot side setback will apply.

An existing house on proposed Parcel 2, and an existing house and accessory structure (home office/laundry room) on proposed Parcel 4 will encroach within the required setback. The applicant is requesting an adjustment of the setback standards pursuant to Section 22.10.140(B) in order to keep the existing structures. The requested adjustment is described in more detail in the *Adjustments* section of this report. Two existing structures on proposed Parcel 3 that would encroach within the required setback have been proposed for demolition prior to recordation of the final map.

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As proposed and conditioned, with the requested adjustments, the existing structures meet the required setbacks in the Land Use Ordinance. Future structures will be reviewed for conformance with setback requirements at the time of application for construction or land use permits.

Parcel and Site Design

Section 21.03.010.(c)(3) of the Real Property Division Ordinance requires that the average depth of a parcel shall be no greater than three times the average width of each parcel. A mechanism for adjusting this requirement is provided in Section 21.03.020 of the Real Property Division Ordinance. The applicant has requested an adjustment of this standard. The requested adjustment is described in more detail in the *Adjustments* section of this report. The following is a table showing the depth-to-width ratios for each of the proposed parcels:

PROPOSED LOT	AVERAGE DEPTH	AVERAGE WIDTH	DEPTH:WIDTH RATIO
Parcel 1	375.48	164.40	2.28:1 – Complies
Parcel 2	373.96	116.85	3.20:1 – Adjustment Needed
Parcel 3	373.95	114.37	3.27:1 – Adjustment Needed
Parcel 4	323.15	219.40	1.47:1 – Complies

As proposed and conditioned, with the requested adjustments, the parcel map is consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

Landscaping – Street Trees

Section 21.03.010(c)(7) of the Real Property Division Ordinance requires all proposed parcels of one acre or less and served by a community water system to provide street trees at a ratio of one tree for every twenty-five feet of frontage. Three of the four proposed lots are one acre in size and therefore are subject to this requirement. As the project fronts Highway 58, the project has been conditioned to provide trees on each parcel within the 139-foot building restriction line.

Road Improvements

This application was reviewed in detail by both Public Works and Planning and Building relative to access and circulation requirements for the area. The potential for further divisions and development in the site vicinity is considered in this process. As a result of this review, no further road improvements are required.

Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Affordable Housing Fees

County Ordinance 2529 establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

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Other Standards and Regulations

Water Provision – County Service Area 23 has provided a will-serve letter for the proposed parcels.

Septic Tanks – County Environmental Health has requested conditions be added to require percolation tests and one deep boring prior to the recordation of a final map.

Public Utilities – Pursuant to Section 21.03.010(h), the project is conditioned to provide underground utilities.

PLANNING AREA STANDARDS:

Santa Margarita Design Plan Compliance

As proposed, the project does not include plans for future structures to be located on any of the proposed parcels. The Santa Margarita Design Plan does not specifically address land divisions. A requirement that new development comply with the Residential Design Guidelines in the Santa Margarita Design Plan is included on the additional map sheet.

ADJUSTMENTS:

Side Setback Adjustment

Section 22.10.140 of the Land Use Ordinance allows the required setbacks for lots of one acre or more within an urban or village reserve line to be adjusted. The adjustment requires approval of the fire inspection authority where mitigation provides for the ability to apply the same degree of accepted fire suppression strategies and tactics as the land use regulations overall. The applicant has requested an adjustment to the setback standards of the Land Use Ordinance in order to keep an existing residential structure on Parcel 2 and two existing structures on Parcel 4 in conformance.

The Santa Margarita Fire Protection District (SMFPD) has reviewed the application and has provided a letter stating that the proposed 20 foot side setback from the easterly property line on Parcel 2 and the proposed 10 foot side setback from the westerly property line on Parcel 4 are adequate for the fire district's needs. No impacts were noted and no mitigation was requested by the fire district. The letter from SMFPD dated November 11, 2004, is attached as an exhibit.

Adjustment to Parcel Depth to Width Ratio

Pursuant to Section 21.03.020 of the Real Property Division Ordinance, the applicant has submitted a written request for adjustment to the parcel design standards. This adjustment is to allow Parcels 2 and 3 to exceed the maximum 3:1 depth-to-width ratio set in Section 21.03.010(c)(3). The applicant has demonstrated that special circumstances exist that necessitate the granting of this adjustment because of the irregular shape of the parent parcel. They have further shown that the adjustment will not have an adverse affect upon health, safety, public welfare, or property, because the project will result in development that is consistent with the character of the surrounding neighborhood. The minimum size for parcels in the Residential Suburban land use category is one acre, therefore the proposed parcels cannot be further subdivided without a General Plan Amendment. Findings J-L included in Exhibit A are required to grant this adjustment.

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COMMUNITY ADVISORY GROUP COMMENTS:

Shortly after the original project submittal in 2003, the Santa Margarita Area Advisory Council (SMAAC) reviewed this project and had no comments. The project, which has been revised, was reviewed a second time by SMAAC on August 10, 2005 to receive official comments prior to the Subdivision Review Board hearing. At that time, SMAAC had no comments.

AGENCY REVIEW:

Public Works – Expressed concern with original proposal showing property line extending into Cal Trans right-of-way. The applicant's revised proposal corrected this error. Public Works has included stock conditions.

Environmental Health – Three percolation tests and a deep boring will be required prior to recordation. Environmental Health has included stock conditions for parcel maps using community water and onsite sewage.

County Parks – Payment of Quimby Fees and applicable Building Division fees is required.

Santa Margarita Fire Protection District – The requested adjustment to side yard setbacks is adequate for the needs of the fire department. The fire department has a concern with the address numbering along the portion of J Street fronting the project site, and has requested to be kept informed of address numbers assigned by the County. The applicant is required to obtain a fire safety clearance letter prior recordation. New construction will be required to comply with the Fire Protection District's safety conditions, and addressing issues will be resolved at that time.

County Service Area 23 – No concerns.

Air Pollution Control District (APCD) – The APCD commends the applicant for proposing development within the Urban Reserve Line of Santa Margarita. There are concerns with possible asbestos due to the demolition of structures on the site. The APCD requests conformance with notification requirements to the District, an asbestos survey, and conformance with the removal and disposal requirements of asbestos, if found. To mitigate for dust, the APCD requests reduction of disturbed area where possible, use of water trucks and sprinkler systems, daily spraying of dirt stockpiles, and revegetation. The APCD also requests the applicant to cooperate with the district for a burn permit if needed. These requirements have been included as mitigation measures in the Negative Declaration.

Cal Trans – As of the preparation of the staff report, no comments have been received from Cal Trans.

LEGAL LOT STATUS:

The two lots were legally created by recorded maps at a time when that was a legal method of creating lots.

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FINDINGS - EXHIBIT A

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq. and California Code of Regulations 15000 et seq.) has been issued on July 28, 2005 for this project. Mitigation measures are proposed to address air quality, cultural resources, geology and soils, noise, recreation, and wastewater as conditions of approval.

Tentative Map

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Suburban land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because no improvements are required and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because each of the proposed parcels contains adequate area for development of a single family residence and a secondary dwelling.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support four primary and four secondary dwellings.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

Adjustments

- J. That there special circumstances or conditions affecting the subdivision because one of the parent parcels is irregular in shape, and there are existing residences that must be incorporated into the subdivision design.

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- K. That the granting of the adjustment will not have a material adverse effect upon the health or safety of persons residing or working in the neighborhood of the subdivision because each parcel meets the minimum lot size requirements and approval of the subdivision will allow four primary and four secondary units to be constructed on 1-acre lots, which is consistent with the neighboring development.
- L. That the granting of the adjustment will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood of the subdivision because each parcel meets the minimum lot size requirements and approval of the subdivision will allow four primary and four secondary units to be constructed on 1-acre lots, which is consistent with the neighboring development. Based on the Residential Suburban land use designation minimum parcel size requirements, the resultant lots cannot be further subdivided.
- M. That the granting of the adjustment will not conflict with the needs of the Santa Margarita Fire Protection District and will not significantly affect the degree of fire suppression strategies and tactics and firefighter safety towards providing a key point of defense from an approaching fire or defense against encroaching fire or escaping structure fires.

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CONDITIONS - EXHIBIT B

Approved Project

1. This approval authorizes the division of two parcels of 2.98 and 1.63 acres into three 1.0 acre parcels and one 1.61 acre parcel for the purpose of sale and/or development.
2. An adjustment to the side setback requirements of the Land Use Ordinance is granted pursuant to Section 22.10.140(B) as follows:
 - a. The side setback from the easterly side property line on Parcel 2 is adjusted to twenty feet (20').
 - b. The side setback from the westerly side property line on Parcel 4 is adjusted to ten feet (10').

Final Map

3. The applicant shall enter into an agreement with the county for the cost of checking the map. The applicant shall also provide the County with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.

Wastewater Disposal

4. **Prior to the filing of the final parcel map**, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the following: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system. Soil testing including the deep soil boring and percolation tests shall be completed to the satisfaction of County Environmental Health.
(Parcels 1 and 3 only)

Utilities

5. Electric and telephone lines shall be installed underground.
6. Cable T.V. conduits shall be installed in the street.
7. Gas lines shall be installed.

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Design

8. The lots shall be numbered in sequence.
9. The existing garage and barn on Parcel 3 shall be removed prior to filing the final parcel map. A demolition permit may be required.

Fire Protection

10. The applicant shall obtain a fire safety clearance letter from the Santa Margarita Fire Protection District establishing fire safety requirements **prior to filing the final parcel or tract map.**

Parks and Recreation (Quimby) Fees

11. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, **prior to filing of the final parcel or map,** the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

Affordable Housing Fee

12. **Prior to filing the final parcel map,** the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

Mitigation

13. Prior to removal or relocation of utility pipelines or buildings, the applicant shall notify the Air Pollution Control District and submit an asbestos survey prepared by a qualified individual. Contact Tim Fuhs at the APCD Enforcement Division at (805) 781-5912.

Additional Map Sheet

14. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel map. The additional map sheet shall include the following:
 - a. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.

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- b. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- c. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
- d. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated November 11, 2004 from the Santa Margarita Fire District are completed. Prior to occupancy or final inspection, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.
- e. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - i. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - ii. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.
- f. Prior to removal or relocation of utility pipelines or buildings, the applicant shall notify the APCD and submit an asbestos survey prepared by a qualified individual. Contact Tim Fuhs of the APCD Enforcement Division at 781-5912.
- g. Prior to issuance of construction permits for individual lot development and soil disturbance, the applicant shall conduct a geologic investigation for naturally occurring asbestos on the project site. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to: 1) an Asbestos Dust Mitigation Plan which must be approved by the APCD before construction begins, and 2) an Asbestos Health and Safety Program may be required.
- h. Prior to developmental burning of vegetative material, the applicant shall apply for and obtain a burn permit from the APCD and Santa Margarita Fire Protection District. The application requires the submittal of a technical feasibility study.
- i. Prior to issuance of building permit for individual lot construction, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans prior to construction permit issuance:
 - i. Reduce the amount of the disturbed area where possible.
 - ii. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
 - iii. All dirt stock-pile areas should be sprayed daily as needed.
 - iv. Permanent dust control measures shall be identified on construction plans and implemented as soon as possible following completion of any soil disturbing activities.
- j. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increase watering, as necessary, to prevent

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transport of dust off site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to land use clearance of map recordation and land use.

- k. Prior to issuance of construction permits for development above 890 feet, as shown on Exhibit C of the Negative Declaration, the applicant shall submit a monitoring plan prepared by a subsurface qualified archaeologist, for the review and approval of the Environmental Coordinator. The monitoring plan shall include:
 - i. List of personnel involved in the monitoring activities;
 - ii. Description of how the monitoring shall occur;
 - iii. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
 - iv. Description of what resources are expected to be encountered;
 - v. Description of circumstances that would result in the halting of work at the project site (e.g. what is considered "significant" archaeological resources?);
 - vi. Description of procedures for halting work on the site and notification procedures;
 - vii. Description of monitoring reporting procedures.
- l. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - i. Construction activities shall cease, and the Environmental Coordinator and Department of Planning and Building shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - ii. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Environmental Coordinator and Department of Planning and Building so that proper disposition may be accomplished.
- m. Prior to issuance of construction permits for individual lot development, the applicant shall show on all applicable plans the 60 dbA threshold boundary (139-foot line as measured from the Highway 58 centerline). Design and location of future residences shall be such that all outdoor activity areas shall be outside of this threshold boundary.
- n. To conserve water, future development shall comply with County's Title 19 (Building and Construction Ordinance, Sec. 19.20.240), which requires the following water-conserving fixtures for domestic use: toilets limited to 1.6 gallons/flush; showerheads and faucets limited to 2.75 gallons/ minute; spas and hot tubs shall use recirculating systems; and water supply piping shall be installed so each dwelling unit may be served by a separate water meter.
- o. New construction shall comply with the Residential Design Guidelines of the Santa Margarita Design Plan.
- p. A 139-foot building restriction line from Highway 58's centerline shall be delineated on the final map. No future residences shall be allowed within this area.

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- q. Prior to the issuance of construction permits, submit detailed landscaping plans for Parcels 1-3 to the Department of Planning and Building for review and approval.
 - i. Provide trees equivalent to one tree per 25 feet of frontage within the 139-foot building restriction area.
 - ii. Landscape plans shall include location, species, size and method of maintenance of all proposed plant material
 - iii. All proposed plant materials shall be of a drought tolerant variety and be sized to provide a mature appearance within three years of installation.
 - iv. Trees shall be grouped where possible.

Miscellaneous

- 14. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and septic tanks, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
- 15. Applicant shall file with the Department of Public Works an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section 8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.
- 16. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

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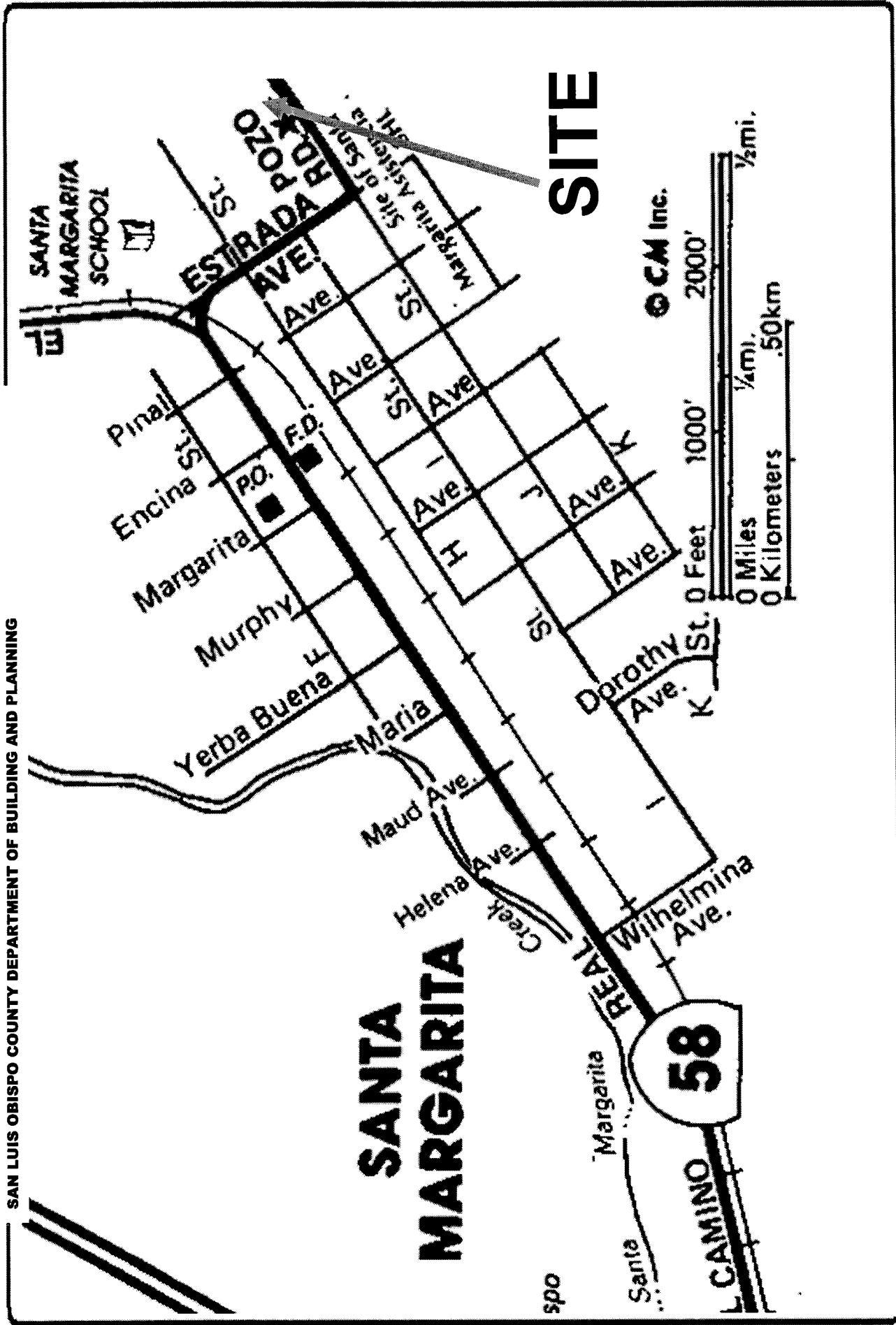
STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS
USING COMMUNITY WATER AND SEPTIC TANKS

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved community water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to the county Health Department for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions, laterals to each parcel and related facilities (except well(s)) may be bonded for subject to the approval of county Public Works, the county Health Department and the public water utility.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by the county Health Officer.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and county Health Department destruction standards. The applicant is required to obtain a permit from the county Health Department.
5. When a potentially operational or operational auxiliary water supply in the form of an existing well(s) is located on the parcels created and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Ordinance)
6. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan will be an acceptable method of sewage disposal, until public sewers may become available.
7. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek banks, drainage swales or areas subject to inundation.
8. For parcels created with approved community (public) water but no community sewers, the approved on-site sewage disposal systems shall be designed, where feasible, for ease in ultimate sewerage.
9. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve multiple parcels or 25 or more individuals at least 60 days out of the year shall be separated by a minimum of two hundred (200) feet from a leachfield, two hundred and fifty (250) feet from seepage pits or dry wells.

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10. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the county Planning and Health Departments for review and approval prior to the issuance of a building permit. Consultants shall determine geologically stable building sites and sewage disposal for each parcel, including evaluations of hillside stability under the most adverse conditions including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for on-site subsurface sewage disposal.
11. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
12. An encroachment permit be obtained from the California Department of Transportation for any work to be done on the state highway.
13. Any existing reservoir or drainage swale on the property shall be delineated on the map.
14. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
15. Required public utility easements be shown on the map.
16. Approved street names shall be shown on the map.
17. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
18. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
19. Any private easements on the property shall be shown on the map with recording data.
20. All conditions of approval herein specified, unless otherwise noted, are to be complied with prior to the filing of the map.
21. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
22. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
23. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees shall be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.

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EXHIBIT

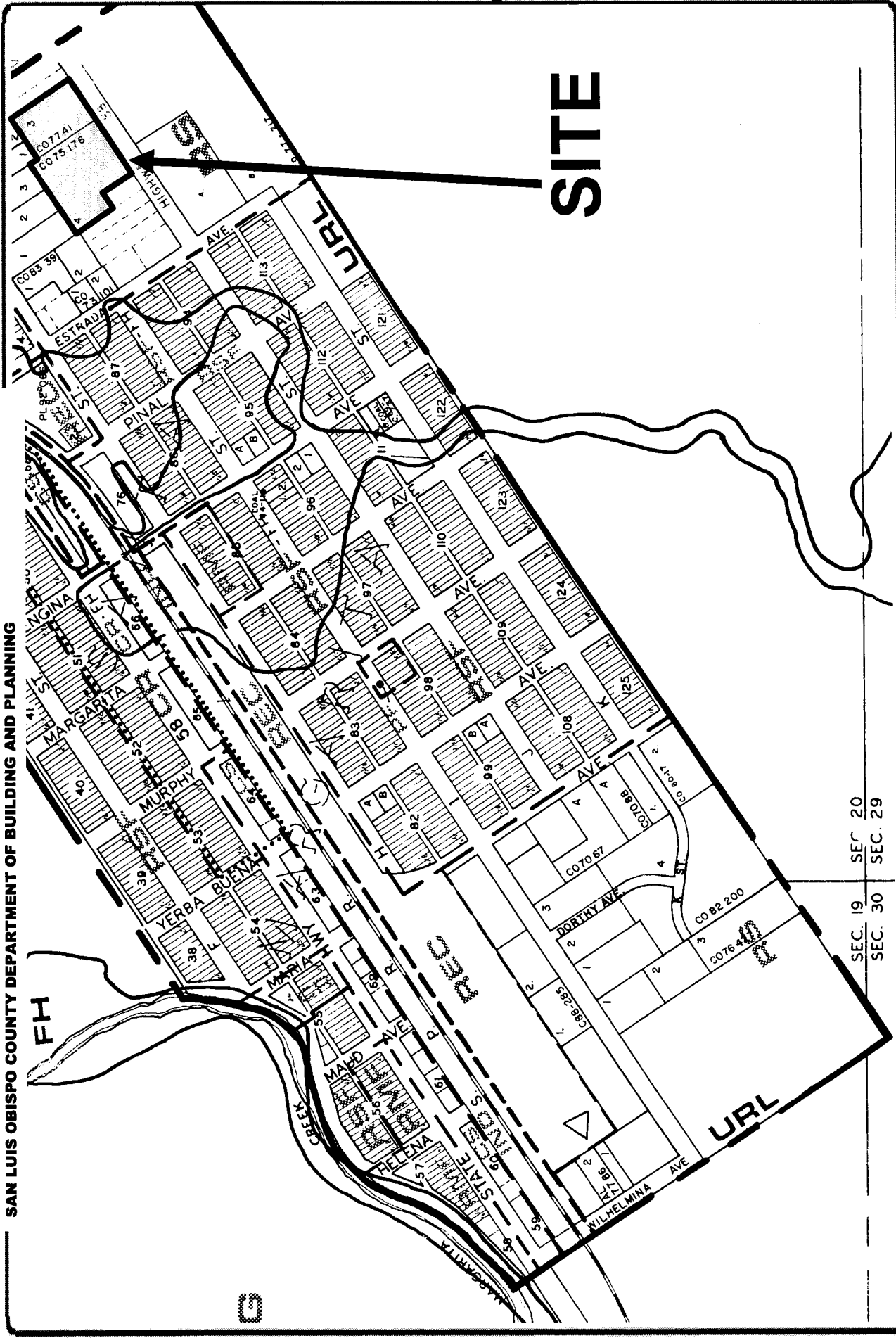
Vicinity Map



PROJECT

Parcel Map
Kregger S030159P

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SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

EXHIBIT
Land Use Category Map

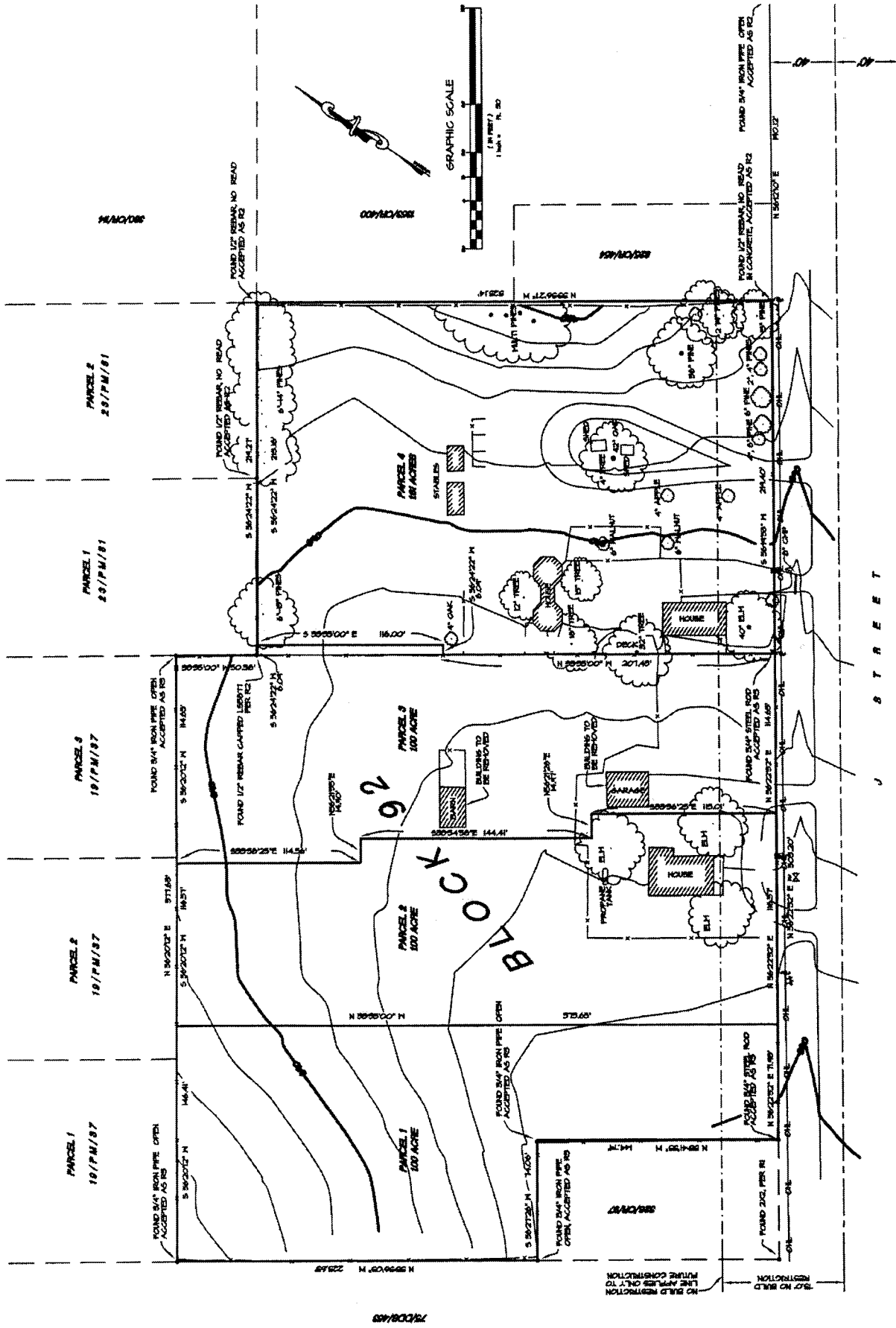


PROJECT
Parcel Map
Kregger S030159P

SEC. 19 SEC. 20
SEC. 30 SEC. 29

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SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



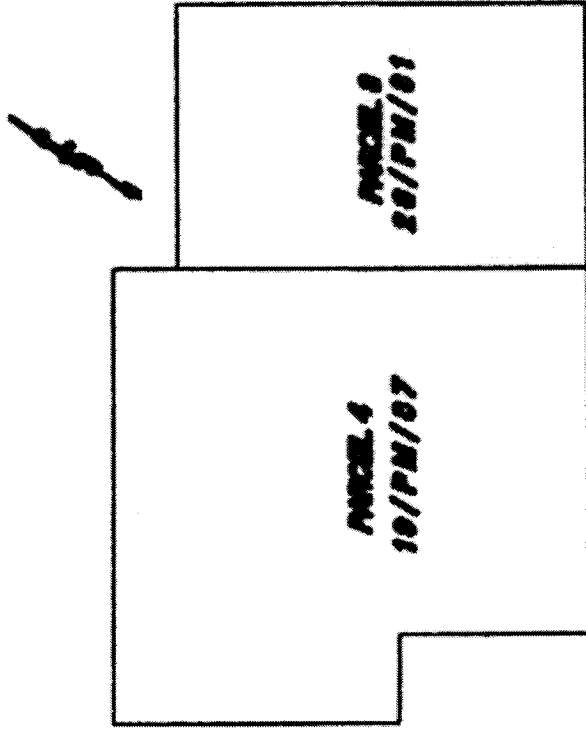
EXHIBIT

Site Plan



PROJECT

Parcel Map
Kregger S030159P



Existing Parcel Configuration
N.T.S.

LEGEND

- FOUND MONUMENT AS NOTED
- - - OVERHEAD POWER LINES
- x - FIRE HYDRANT
- x - WATER VALVE
- x - CORRUGATED METAL PIPE
- x - WATER METER
- x - FENCE
- x - 14/PM/ST
- x - 25/PM/ST
- x - 25/LS/ST

Vesting Tentative Parcel Map
CO# 03-0372
Of Parcel 4 of Parcel Map CO 75-176
being a portion of lots 14, 15, and 16 in
Block 92, in the Town of Santa Margarita
as per 10/PM/07, County of San Luis
Obispo, State of California

PROJECT

Parcel Map
Kregger S030159P

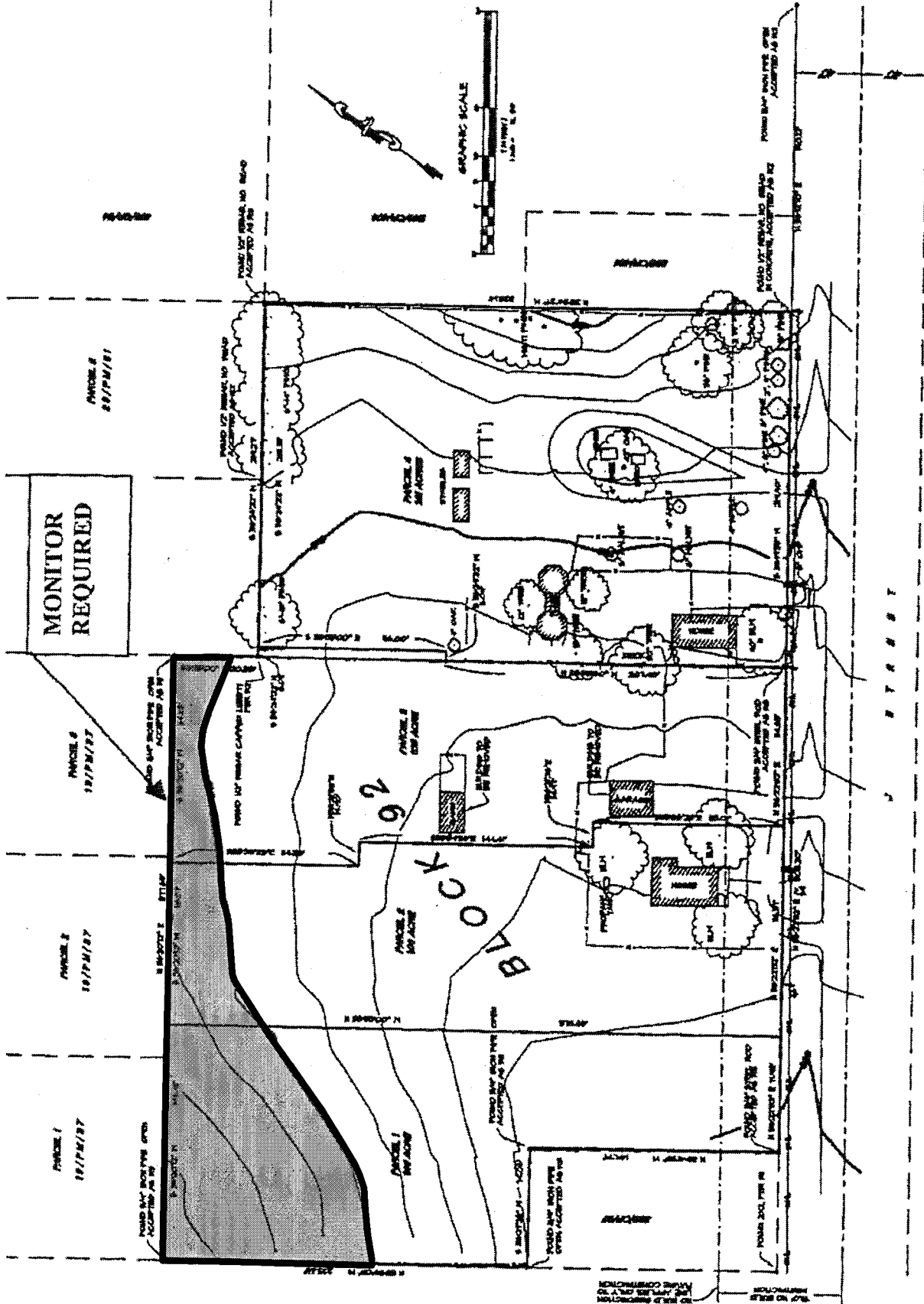
EXHIBIT

Site Plan (Legend)



2-19

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT
Parcel Map
Kregger S030159P



EXHIBIT
Exhibit C of Negative Declaration

2-70

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

Parcel Map
Kregger S030159P

EXHIBIT

Aerial Map





2-21
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

DEC - 9 2003

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

Dec 5, 2003

FROM

Pub Works

FROM
TO

No. County Team

(Please direct response to the above)

CO 03-0372

5030159P / Kregger

Project Name and Number

Development Review Section (Phone: 788-

2009

PROJECT DESCRIPTION:

3 lot subdivision

Return this letter with your comments attached no later than:

23
Dec. 19, 2003

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☐ YES (Please go on to Part II)

☒ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☐ NO (Please go on to Part III)

☒ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

I SEE NOTHING TO SUGGEST THEY CAN CLAIM REVERSION RIGHTS TO THE CENTER OF THE STATE HWY, LEAVING THEM WITH 2.98 AC WHICH IS 0.02 AC SHORT OF CREATING 3 PARCELS. IN CASE THIS MOVES FORWARD I AM INCLUDING STICK CONDITIONS. Referral to CalTRANS?

30 Dec 2003
Date

Goodwin
Name

5252
Phone



2-28
County of San Luis Obispo • Public Health Department

Environmental Health Services

2156 Sierra Way • P.O. Box 1489

San Luis Obispo, California 93406

(805) 781-5544 • FAX (805) 781-4211

March 4, 2004 Gregory Thomas, M.D., M.P.H.
County Health Officer
Public Health Director

San Luis Obispo Planning Department
Attn: Elizabeth Kavanaugh
County Government Center
San Luis Obispo, CA 93408

Curtis A. Batson, R.E.H.S.
Director

RE: CO 03-0372

Attached is a letter requiring a complete geological evaluation on the subject project prior to scheduling a Subdivision Review Board Hearing. This evaluation has been done and the project can be scheduled.

The stock conditions for a parcel map using public water and onsite sewage disposal systems are required for this project. The geological evaluation did not include the three percolation tests and a boring, at the site proposed for installation of the leachlines on proposed parcels 1 and 3, which will be required prior to recordation of the map.

If additional information is required contact me at 781-5551.

Robert L. Williamson

Robert L. Williamson, R.E.H.S.
Environmental Health Specialist

C: Vaughan Surveys



2-73

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

EK

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

Dec 5, 2003

FROM:
TO:

Gen Svc. - Jan DiLeo

TO: FROM:

No. County Team
(Please direct response to the above)

CO 03-0372

5030159P / Kregger

Project Name and Number

Development Review Section (Phone: 788-

2009

PROJECT DESCRIPTION:

3 lot subdivision

Return this letter with your comments attached no later than:

Dec. 19, 2003

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Require Payment of Quimby fees and applicatiles
Building Division fees.12/18/03
DateJan DiLeo
Namex4089
Phone

2-24

**Santa Margarita Fire Protection District
22375 G Street, P O Box 67
Santa Margarita, California 93453**

11 November 2004

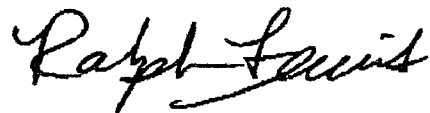
Kirk Consulting
9720 Atascadero Avenue
Atascadero, CA 93422

I received your request for a modification to the required setback for your proposed four lot subdivision on J street in Santa Margarita. The 20 foot setback on proposed parcel 2 and the 10 foot setback on proposed parcel 4 will be adequate for my department's needs.

I have a concern with the house numbering on this portion of J street. Please keep me informed of the numbers assigned to you by the county.

If I can be of any more assistance to you, please do not hesitate to contact me at any of the above numbers.

Sincerely,

A handwritten signature in cursive script that reads "Ralph Lewis".

Ralph Lewis
Fire chief



2-25
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

DEC -9 2003

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: Dec 5, 2003
TO: CSA 23 - Pub Works
FROM: No. County Team CO 03-0372
(Please direct response to the above) 5030159P / Kregger
Project Name and Number

Development Review Section (Phone: 788- 2009) ()

PROJECT DESCRIPTION: 3 lot subdivision

Return this letter with your comments attached no later than: 23
Dec. 19, 2003

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?
☒ YES (Please go on to Part II)
☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?
☒ NO (Please go on to Part III)
☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

no issues for CSA 23 water district

12/16/03
Date

[Signature]
Name

781-5116
Phone

Q.2



2726
**AIR POLLUTION
CONTROL DISTRICT**
COUNTY OF SAN LUIS OBISPO

RECEIVED

DEC 19 2003

Planning & Bldg

DATE: December 18, 2003

TO: North County Team
San Luis Obispo County Department of Planning and Building

FROM: Dominic A. Farinha
San Luis Obispo County Air Pollution Control District

SUBJECT: Project Referral – 3 Lot Subdivision (CO 03-0372, S 030159P, Kregger)

GENERAL COMMENTS

Thank you for including the APCD in the environmental review process. We have completed our review of the proposed 3 lot subdivision located at 1918 Highway 58, Santa Margarita. This project will take place within the Urban Reserve Line (URL) of Santa Margarita. We have the following comments on the proposal.

SPECIFIC PROJECT COMMENTS

We would like to commend the applicant for proposing development within the URL. The District also supports higher density development within the urban core, as opposed to development on the urban fringe.

As a commenting agency in the California Environmental Quality Act review process for a project, the District assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each.

CONSTRUCTION EMISSIONS

If this project moves forward, the APCD offers the following comments to minimize the air quality impacts associated with construction activities.

Demolition Activities

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility pipes/pipelines (transite pipes or insulation on pipes). If utility pipelines are scheduled for removal or relocation; or building(s) are removed or renovated; this project may be subject to various regulatory jurisdictions. These requirements are stipulated in the National Emission Standard for Hazardous Air Pollutants (40 CFR 61, Subpart M – asbestos NESHAP). These requirements include, but are not limited to: 1) notification requirements to the District, 2) asbestos survey conducted by a Certified Asbestos Inspector, and 3) applicable removal and disposal requirements of identified ACM. Please contact Tim Fuhs of our Enforcement Division at 781-5912 for further information.

2-27

Naturally Occurring Asbestos

Asbestos has been identified by the state Air Resources Board (ARB) as a toxic air contaminant. Serpentine and ultramafic rocks are very common in the state and may contain naturally occurring asbestos (NOA). Under the State Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if naturally occurring asbestos is present within the area that will be disturbed. If naturally occurring asbestos (NOA) is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. Should Naturally Occurring Asbestos (NOA) be identified within the area of construction, and the worked area will be less than or equal to one acre, then the dust control measures identified in Attachment 1 are required. If the disturbed area is greater than one acre, additional requirements may include but are not limited to 1) an Asbestos Dust Mitigation Plan which must be approved by the District before construction begins, and 2) an Asbestos Health and Safety Program will also be required for some projects. Please refer to the District web page at <http://www.slocleanair.org/business/asbestos.asp> for more information regarding these requirements. If you have any questions regarding these requirements, please contact Karen Brooks of our Enforcement Division at 781-5912.

Dust Control

The project as described in the referral will not likely exceed the District's CEQA significance threshold for construction phase emissions. However, construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Dust complaints could result in a violation of the District's 402 "Nuisance" Rule. District staff recommends the following measures be incorporated into the project to control dust:

1. Reduce the amount of the disturbed area where possible
2. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water shall be used whenever possible.
3. All dirt stockpiles should be sprayed daily as needed.
4. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities.

Developmental Burning

Effective February 25, 2000, the District prohibited developmental burning of vegetative material within San Luis Obispo County. Under certain circumstances where no technically feasible alternatives are available, limited developmental burning under restrictions may be allowed. This requires prior application, payment of fee based on the size of the project, District approval, and issuance of a burn permit by the District and the local fire department authority. The applicant is required to furnish the District with the study of technical feasibility (which includes costs and other constraints) at the time of application. If you have any questions regarding these requirements, contact Karen Brooks of our Enforcement Division at 781-5912.

2-28

Kregger Subdivision Lot Split

December 18, 2003

Page 3 of 3

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, or if you would like to receive an electronic version of this letter, feel free to contact me at 781-5912.

DAF/AAG/sll

cc: Karen Brooks, APCD Enforcement Division
Tim Fuhs, APCD Enforcement Division

H:\ois\plan\response\2820.doc

2-29



COUNTY OF SAN LUIS OBISPO
MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

FOR OFFICIAL USE ONLY (EK)

ENVIRONMENTAL DETERMINATION NO. ED04-278

DATE: 7/13/05

PROJECT/ENTITLEMENT: Kregger/Lemo Parcel Map S030159P

APPLICANT NAME: Christopher Kregger, Lorelee Kregger, Kenneth Lemo, and Alphons Lemo
ADDRESS: 6760 EL Camino Real, Atascadero, CA, 93422
CONTACT PERSON: Vaughan Surveys **Telephone:** 805-238-5725

PROPOSED USES/INTENT: Proposal by

LOCATION: The project is located __, approximately (distance from closest street on Compass Map/Thomas guide), approximately __ miles north of the community of __, in the __ planning area

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
 County Government Center, Rm. 310
 San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: None

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT5 p.m. on

20-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination


State Clearinghouse No. _____

This is to advise that the San Luis Obispo County _____ as ☐ Lead Agency
☐ Responsible Agency approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
 County Government Center, Room 310, San Luis Obispo, CA 93408-2040

	ELIZABETH KAVANAUGH	7/13/05	County of San Luis Obispo
Signature	Project Manager Name	Date	Public Agency

2-30

California Department of Fish and Game
CERTIFICATE OF FEE EXEMPTION
De Minimis Impact Finding

PROJECT TITLE & NUMBER: Kregger Parcel Map S030159P ED04-278

Project Applicant

Name: Christopher and Lorelee Kregger
Address: 6760 El Camino Real
City, State, Zip Code: Atascadero, Ca 93422
Telephone #: 805-238-5725

PROJECT DESCRIPTION/LOCATION: See attached Notice of Determination

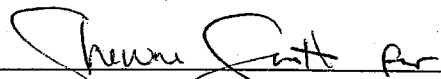
FINDINGS OF EXEMPTION:

There is no evidence before this agency that the proposed project has the potential for adverse effect on wildlife resources for one or more of the following reason(s):

- () The project is located in an urbanized area that does not contain substantial fish or wildlife resources or their habitat.
- () The project is located in a highly disturbed area that does not contain substantial fish or wildlife resources or their habitat.
- (X) The project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.
- () The applicable filing fees have/will be collected at the time of issuance of other County approvals for this project. Reference Document Name and No. ____.
- () Other: ____

CERTIFICATION:

I hereby certify that the lead agency has made the above findings of fact and that, based upon the initial study and the hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.


Ellen Carroll, Environmental Coordinator
County of San Luis Obispo

Date: 07/05/05

2-31



**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

Project Title & No. Kregger Parcel Map ED04-278; S030159P

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input checked="" type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Transportation/Circulation
<input checked="" type="checkbox"/> Air Quality	<input checked="" type="checkbox"/> Noise	<input checked="" type="checkbox"/> Wastewater
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Water
<input checked="" type="checkbox"/> Cultural Resources	<input type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Morro Group, Inc.
Prepared by (Print)

Shawn Scott
Signature

06/24/05
Date

John McKenzie
Reviewed by (Print)

John McKenzie
Signature

Ellen Carroll,
Environmental Coordinator
(for) 6/30/05
Date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by Christopher Kregger, Lorelee Kregger, Kenneth Lerno, and Alphons Lerno for a Parcel Map to subdivide two existing parcels of 2.98 and 1.63 acres each into four parcels consisting of three 1.0-acre parcels and one 1.61-acre parcel for the purpose of sale and/or development. Parcel 1 is undeveloped. Single-family residences and associated development are located on Parcel 2 and Parcel 4 and two accessory structures are located on Parcel 3. The proposed project is within the Residential Suburban land use category and is located on the north side of J Street (21914 J Street), approximately 400 feet east of Estrada Avenue, in the community of Santa Margarita. The site is in the Salinas River (Santa Margarita) planning area.

ASSESSOR PARCEL NUMBER(S): 069-133-030/069-133-034 **SUPERVISORIAL DISTRICT #** 5

B. EXISTING SETTING

PLANNING AREA: Salinas River, Santa Margarita

LAND USE CATEGORY: Residential Suburban

COMBINING DESIGNATION(S): None Applicable

EXISTING USES: Two single-family residences, office, garage, barn, horse stables

TOPOGRAPHY: Nearly level to gently sloping

VEGETATION: Grasses, oak, pine, and elm trees

PARCEL SIZES: 2.98 and 1.63 acres

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Residential Suburban; Single-family residences, horse pasture	<i>East:</i> Residential Suburban; Single-family residence
<i>South:</i> Residential Suburban; Single-family residence, sheep pasture	<i>West:</i> Residential Suburban; Single-family residences

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST**

1.	AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	<i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The proposed project site is located on the north side of Highway 58 (1918 Highway 58 and 21914 J Street), in the community of Santa Margarita (refer to Figures 1 through 3). Single-family residential development is present on the project site and on all adjacent properties. The project site and areas to the west, east, and north consist of approximately half-acre to three-acre lots with secondary land uses including horse and sheep pastures. The area south of the project site includes single-family residences on large lots used for pasture, with open pasture land located east and south of the Santa Margarita Urban Reserve Line. Vegetation on the project site consists of grasses, coast live oak trees, elm trees, pine trees and planted ornamental vegetation. Topography ranges from nearly level to gently sloping. Mature oak, pine and elm trees associated with developed areas of the project site, partially shield developed areas from both travel lanes of Highway 58.

Impact. The applicant is proposing to subdivide a 2.98-acre parcel and a 1.63-acre parcel to create three 1.0-acre parcels and one 1.61-acre parcel for the sale and/or development of two 1.0-acre parcels (Parcel 1 and Parcel 3). Proposed Parcel 1 is currently undeveloped. Existing development on the project site includes a single-family residence on Parcel 2, a garage and a barn on Parcel 3, and a single-family residence, office, and horse stables on Parcel 4 (refer to Figures 4 and 5). The existing barn and garage located on Parcel 3 would be removed and minor fencing adjustments would be required for the parcel split. The proposed subdivision includes a reduction of the side setback requirements for existing residential development on Parcel 2 and Parcel 4. Future development would likely include the construction of residences on proposed Parcels 1 and 3. The existing residences on Parcels 2 and 4 would remain. The proposed uses are consistent with the Residential Suburban land use category and surrounding development patterns in the community of Santa Margarita.

Mitigation/Conclusion. No significant visual impacts are anticipated and no mitigation measures are necessary.

2. AGRICULTURAL RESOURCES

- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project site is located in the Residential Suburban land use category. The soil types on the project site for "non-irrigated" and "irrigated" soil, as described in the Natural Resource Conservation Service (NRCS) Soil Survey, are Botella sandy loam and San Andreas-Arujo sandy loams (non-irr: Class IV, irr: Class II to III). Surrounding parcel sizes range from ¼ acre to 10 acres. Surrounding land uses consist of residential development with secondary "hobby farm" uses including horse and sheep pasturing. The rear portion of the project site on both existing parcels is used as a horse pasture. Based on the small size and urban location of the proposed project, no agricultural incompatibility impacts are anticipated.

Mitigation/Conclusion. No agricultural incompatibility impacts would occur; therefore no mitigation measures are required.

3. AIR QUALITY - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Based on the latest air monitoring station information (per the County's RMS annual report, 2004, the trend in air quality in the general area is improving, where unacceptable PM10 levels were exceeded once in 2003, which is down from 2002 (two exceedances).

The Air Pollution Control District (APCD) estimates that automobiles currently generate about 40% of the pollutants responsible for ozone formation. Nitrous oxides (NOx) and reactive organic gasses (ROG) pollutants (vehicle emission components) are common contributors towards this chemical transformation into ozone. Dust, or particulate matter less than ten microns (PM10) that become airborne and find their way into the lower atmosphere, can act as the catalyst in this chemical transformation to harmful ozone. In part, the land use controls currently in place for new development relating to ROG and NOx (i.e. application of the CEQA Air Quality Handbook) have helped reduce the formation of ozone.

Impact. The project will result in the disturbance of approximately 1,000 square feet during removal of two buildings. Additional disturbance would occur as proposed Parcels 1 and 3 are developed with primary residences. Secondary residences are possible for all proposed parcels. This will result in the creation of dust, construction-related emissions, and operational emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. The proposed project was referred to the APCD for review and determination of any air quality impacts potentially resulting from the proposed project. Air quality impacts from the proposed parcel split include the generation of fugitive dust, potential release of asbestos, and particulate emissions resulting from the developmental burning of vegetative material (Dominic A. Farinha; December 18, 2003).

Naturally Occurring Asbestos. Asbestos is considered a toxic air contaminant by the State Air Resources Board. If naturally occurring asbestos is present within the soil underlying the project site, future grading activities would release the asbestos into the air, resulting in a potentially significant air quality impact.

Material Asbestos. Asbestos can be encountered during demolition of existing buildings and the removal or relocation of utility lines.

Developmental Burning. On February 5, 2000, the APCD prohibited developmental burning of vegetative material within San Luis Obispo County; however, in certain situations where no technically feasible alternative is available, limited burning may be allowed. Unregulated burning would result in a potentially significant air quality impact.

Fugitive Dust (PM10). Existing residences are located onsite and nearby on adjacent parcels. Implementation of the proposed project would result in the generation of dust, potentially affecting adjacent roadways and residences, resulting in a potentially significant air quality impact.

Mitigation/Conclusion. APCD-recommended measures to reduce potentially significant air quality impacts to insignificant levels include demolition guidelines, determination of asbestos presence, protocol to remove asbestos, burning restrictions and implementation of dust control measures (refer to Exhibit B). Based on the above discussion and implementation of mitigation measures, air quality impacts would be reduced to less than significant.

4. BIOLOGICAL RESOURCES -
Will the project:

Potentially
Significant

Impact can
& will be
mitigated

Insignificant
Impact

Not
Applicable

- a) ***Result in a loss of unique or special status species or their habitats?***

☐
☐
☒
☐

4. BIOLOGICAL RESOURCES - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Proposed Parcels 1 and 3 and undeveloped areas on Parcels 2 and 4 are vegetated with annual grasses and used as horse pasture. Mature vegetation on the project site includes coast live oak trees, pine trees, elm trees, and landscaped areas located entirely within Parcel 2 and Parcel 4. Mature trees on the project site are located within the developed parcels and minor fencing adjustments would not affect existing vegetation. Suitable habitat for southwestern pond turtle (*Clemmys marmorata pallida*) and California red-legged frog (*Rana aurora draytonii*) is located approximately 0.10 mile west of the project site within the Yerba Buena corridor. Suitable habitat for these species is not present on the project site.

The proposed project site includes two lots developed with single-family residences (Parcel 2 and Parcel 4). The proposed parcel split would create two undeveloped parcels for sale and/or development (Parcel 1 and Parcel 3). Secondary residences would be possible on each proposed lot. Based on the lack of sensitive biological resources on Parcels 1 and 3, no impacts to sensitive vegetation or wildlife would occur in association with the proposed parcel split.

Mitigation/Conclusion. No significant biological impacts are expected to occur, and no mitigation measures are necessary.

5. CULTURAL RESOURCES - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project site is located in an area historically occupied by the Obispeno Chumash and Southern Salinan. No structures with potentially historic significance would be disturbed in association with the proposed parcel split. No paleontological resources are known to exist in the immediate area. Impacts to historical or paleontological resources are not expected. The site is developed with two single-family residences and the remainder of the existing parcels are used as a

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horse pasture. A Phase 1 surface survey (C.A. Singer & Associates, Inc.; January 31, 2004) was conducted for the project site and although no evidence of cultural materials was noted on the surface of the property, several archaeological sites and isolated artifact locations are located at slightly higher elevations within approximately ½ mile from the project site.

Impact. The project site slopes gradually to the east and northwest, and reasonably close to Yerba Buena Creek (approximately 500 feet). Sub-surface archaeological deposits may be encountered during excavation if residential development was to occur at the higher elevations of the property. Should future development be proposed toward the rear of the parcel and above the 890 elevation contour, monitoring during grading shall be required.

Mitigation/Conclusion. If future development is proposed within the potentially archaeological sensitive area, monitoring would be required to be implemented during construction (refer to Exhibits B and C). Based on the above discussion and implementation of mitigation measures, no significant impacts to cultural resources are anticipated and no additional mitigation measures are necessary.

6. GEOLOGY AND SOILS -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a CA Dept. of Mines & Geology Earthquake Fault Zone (formerly Alquist-Priolo)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

6. GEOLOGY AND SOILS -*Will the project:*Potentially
SignificantImpact can
& will be
mitigatedInsignificant
ImpactNot
Applicable

h) *Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?*

☐☐☒☐

i) *Preclude the future extraction of valuable mineral resources?*

☐☐☒☐

j) *Other:* _____

☐☐☐☐**Setting/Impact.**

Geology. The topography of the project site is nearly level to gently sloping. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered high. No active faulting is known to exist on or near the subject property. The project is not within a known area containing serpentine or ultramafic rock or soils. Any project within a high liquefaction area is subject to the preparation of a geological report per LUO section 22.14.070 (c) to evaluate the area's geological stability relating to the proposed use.

Drainage. The area proposed for development is outside the 100-year Flood Hazard designation. The west side of parcel is located adjacent to the 500-year Flood Hazard designation for Yerba Buena Creek. Yerba Buena Creek is located approximately 0.15 mile to the west. As described in the Natural Resource Conservation Service (NRCS) Soil Survey, the soil is considered moderately drained. No specific measures above what will already be required by ordinance or code are considered necessary.

Sedimentation and Erosion. The soil types mapped for the project site include Botella sandy loam and San Andreas-Arujo sandy loams. As described in the NRCS Soil Survey, the soil surface is considered to have low to moderate erodibility, and low to moderate shrink-swell characteristics. Site disturbance required for the garage and barn removal, and future residential grading activities are not anticipated to require specific measures above what will already be required by ordinance or code.

Mitigation/Conclusion. Based the above discussion and implementation of standard required measures, impacts to geologic resources would be less than significant and no project specific mitigation is necessary.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:Potentially
SignificantImpact can
& will be
mitigatedInsignificant
ImpactNot
Applicable

a) *Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?*

☐☐☒☐

b) *Interfere with an emergency response or evacuation plan?*

☐☐☒☐

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The project site is not located in an area of known hazardous material contamination. The project is within a high severity risk area for fire. The project is not within the Airport Review area. The proposed project is required to comply with Santa Margarita Fire Protection District regulations for residential development and adjustments to setback standards must be approved by the fire inspection authority. The Santa Margarita Fire Protection District (Ralph Lewis; November 11, 2004) has authorized the requested side setback adjustment.

Mitigation/Conclusion. Based on implementation of standard fire safety regulations and other existing regulations, no significant impacts as a result of hazards or hazardous materials are anticipated, and no additional mitigation measures are necessary.

8. NOISE - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Implementation of the proposed project would result in the construction of two new residences on parcels fronting Highway 58. Approximately one acre of the project site is located within the 60-65 Ldn noise level contour, and the remainder of the project site is located at or below established levels (County of San Luis Obispo; May 1992). The proposed project includes delineation of a "no-build" zone on the project site adjacent to Highway 58 to ensure future development occurs outside of the 65 Ldn noise level contour.

Impact. Residential structures constructed based on building code regulations attenuate interior noise by 20 dB; therefore, interior noise thresholds (45 dB) would not be exceeded. If future outdoor

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activity areas are proposed along the southern side of the project site facing Highway 58 that are within 139 feet of the roadway centerline, residents may be exposed to future noise levels above 60 Ldn.

Mitigation/Conclusion. In order to ensure outdoor activity areas of future residential development are not exposed to significant noise, the applicant has agreed to limit outdoor activity areas to the rear of each parcel or rear of residences facing Highway 58. The presence of the residential structure between the highway and backyard outdoor activity area or locating new residences in the rear of the parcel would attenuate noise below thresholds required by the Noise Element. Implementation of this design requirement would mitigate potential noise impacts to less than significant.

9. POPULATION/HOUSING -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Implementation of the proposed parcel map would result in the construction of up to four additional residences in Santa Margarita. The future development would not displace existing housing or people, or use a substantial amount of fuel or energy to construct and maintain. No significant population and housing impacts are expected to occur as a result of the proposed parcel map.

Mitigation/Conclusion. In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county. In addition, Title 18 of the County Code (Public Facilities Fees) requires that an affordable housing mitigation fee be imposed as a condition of approval of any new residential development project. No significant population and housing impacts are anticipated, and no mitigation measures are necessary.

2-41

10. PUBLIC SERVICES/UTILITIES -
*Will the project have an effect upon,
 or result in the need for new or
 altered public services in any of the
 following areas:*

Potentially
Significant Impact can
& will be
mitigated Insignificant
Impact Not
Applicable

a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project area is served by the Santa Margarita Fire Protection District and County Sheriff's Department as the primary emergency responders. The closest Sheriff substation is in San Luis Obispo (Kansas Ave.), which is approximately 10 miles from the proposed project. The Santa Margarita Fire Station is approximately 0.5 mile from the proposed project. The project is located in the Atascadero Unified School District. This project, along with numerous others in the area would have a cumulative effect on sheriff and fire protection, and schools.

Mitigation/Conclusion. Regarding cumulative effects, public facility (county) and school (State Government Code 65995 et sec) fee programs have been adopted to address this impact and will reduce the cumulative impact to a level of insignificance. No specific impacts are anticipated and no mitigation measures are required.

11. RECREATION - Will the project:

Potentially
Significant Impact can
& will be
mitigated Insignificant
Impact Not
Applicable

a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The County Trails Plan does not show a future trail on the proposed project site. The proposed project was referred to the County Department of General Services Parks Division for review. The Parks Division did not identify any project-specific potentially significant impacts. Recordation of the proposed parcel map will allow for additional residential development and would contribute to the cumulative demand for recreational resources in San Luis Obispo County.

Mitigation/Conclusion. In order to offset the cumulative demand for recreational resources, the applicant would be required to pay Quimby and Building Division fees (Jan DiLeo; December 18, 2003). No additional mitigation measures are necessary.

2-42

**12. TRANSPORTATION/
CIRCULATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Future single-family residential development would be accessed by Highway 58 at the eastern edge of Santa Margarita. Highway 58 is a two lane arterial road within an urban reserve line at the project location. The identified roadway is operating at an acceptable level of service. Referrals were sent to Public Works and Caltrans. No significant traffic-related concerns were identified for the proposed parcel split. Proposed additional development of two single-family residences and two secondary residences is estimated to generate a total of 32 daily vehicle trips, or (10) daily vehicle trips per primary residence and (6) daily vehicle trips per secondary residence. Generation of 32 additional trips would not significantly affect the level of service on Highway 58. Construction of two new driveways is not anticipated to result in a traffic hazard due to adequate sight distance and the minimal number of additional peak hour trips (approximately two per residence). No road improvements are required.

Mitigation/Conclusion. No significant traffic impacts were identified, and no mitigation measures are necessary.

2-43

13. WASTEWATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Adversely affect community wastewater service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Additional development on Parcels 1 and 3 would include the installation of on-site individual wastewater systems. Future secondary residences on Parcels 2 and 4 would either use the existing septic system or install a new system. Based on the NRCS Soil Survey map, the soil types where the on-site wastewater system will be placed include Botella sandy loam and San Andreas-Arujo sandy loams. The main limitations of these soils for on-site wastewater systems are:

Shallow Depth to Bedrock. This characteristic indicates that there may not be sufficient soil depth to provide adequate soil filtering of effluent before reaching bedrock. Once effluent reaches bedrock, chances increase for the effluent to infiltrate cracks that could lead directly to groundwater sources or near wells without adequate filtering, or allow effluent to daylight where bedrock is exposed to the earth's surface. To comply with the Central Coast Basin Plan, additional information is needed prior to issuance of a building permit, such as borings at leach line locations, to show that there will be adequate separation between leach line and bedrock.

Slow Percolation. This is where fluid percolates too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be less than 120 minutes per inch. To achieve compliance with the Central Coast Basin Plan, percolation tests will be needed prior to issuance of a building permit that shows the leach areas can adequately percolate to achieve this threshold. In addition, high groundwater conditions are prevalent throughout much of the Santa Margarita area, and can be especially problematic during the rainy season.

Impact. The project proposes to use on-site systems as its means to dispose wastewater. The proposed project was referred to Environmental Health and three percolation tests and a deep soil boring would be required for each undeveloped lot (Robert L. Williamson; March 4, 2004).

Mitigation/Conclusion. Prior to final map recordation, the septic system will be evaluated in greater detail to insure compliance with the Central Coast Basin Plan for any constraints listed above, and will not be approved if Basin Plan criteria cannot be met. The applicant is required to submit percolation and boring test results. Wastewater impacts would be reduced to insignificance and no additional measures are necessary.

14. WATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact.

Water Usage. The project proposes to use County Service Area Number 23 as its water source. The Environmental Health Division has reviewed the project for water availability and has received a will serve letter from the service provider. Although the latest Annual Resource Summary Report (2004) identified the proposed water source as Level of severity III, the small amount of water required for the proposed project is not anticipated to significantly effect existing water supply.

Based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be about 2.36 acre feet/year (AFY).

$$2 \text{ residential lots (w/primary (0.85 afy) + secondary (0.33 afy) X 2 lots) = 2.36 afy}$$

Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989)

Surface Water. The topography of the project is nearly level to gently sloping. The nearest source of surface water is Yerba Buena Creek, approximately 0.10 mile from the proposed project site. As described in the NRCS Soil Survey, the soil surface is considered to have low to moderate erodibility. No significant surface water impacts are anticipated.

Mitigation/Conclusion. Water conservation measures in addition to standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

2-45

15. LAND USE - Will the project:

	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Salinas River Area Plan, Santa Margarita Design Plan, etc.). The project was found to be consistent with these documents (refer to Exhibit A on reference documents used). Referrals were sent to outside agencies to review for policy consistencies (e.g., Santa Margarita Fire Department, Public Works, Environmental Health, APCD, Caltrans). The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses because the proposed parcel split and future construction of two one-acre lots is similar to adjacent development patterns and is an allowed use in the Residential Suburban land use category.

Mitigation/Conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

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16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:

Potentially Significant

Impact can & will be mitigated

Insignificant Impact

Not Applicable

- a) *Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*
- ☐ ☐ ☒ ☐
- b) *Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)*
- ☐ ☒ ☐ ☐
- c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*
- ☐ ☐ ☒ ☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

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Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Division	Attached
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input checked="" type="checkbox"/>	County Parks Division	Attached
<input checked="" type="checkbox"/>	County Assessor	None
<input checked="" type="checkbox"/>	Air Pollution Control District	Attached
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input type="checkbox"/>	CA Department of Forestry	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Transportation	None
<input checked="" type="checkbox"/>	Other <u>Santa Margarita Fire Department</u>	Attached
<input checked="" type="checkbox"/>	Other <u>CSA 23, Santa Margarita</u>	In File**
<input checked="" type="checkbox"/>	Other <u>Santa Margarita Advisory Council</u>	None

** "No comment" or "No concerns"-type responses are usually not attached

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input checked="" type="checkbox"/> Salinas River Area Plan and Update EIR
<u>County documents</u>	<input type="checkbox"/> Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input checked="" type="checkbox"/> Other <u>Santa Margarita Design Plan</u>
<input checked="" type="checkbox"/> Real Property Division Ordinance	
<input checked="" type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

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In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

C.A. Singer & Associates, Inc. January 31, 2004. *Cultural Resources Survey and Impact Assessment for a 2.9 acre property at 1918 W. Pozo Road in Santa Margarita, San Luis Obispo County, California [APN 069-133-030].*

Exhibit B - Mitigation Summary Table**Air Quality**

- AQ-1 Prior to removal or relocation of utility pipelines or buildings,** the applicant shall notify the APCD and submit an asbestos survey prepared by a qualified individual. Contact Tim Fuhs of the APCD Enforcement Division at 781-5912.
- AQ-2 Prior to issuance of construction permits for individual lot development and soil disturbance,** the applicant shall conduct a geologic investigation for naturally occurring asbestos on the project site. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to: 1) an Asbestos Dust Mitigation Plan which must be approved by the APCD before construction begins, and 2) an Asbestos Health and Safety Program may be required.
- AQ-3 Prior to developmental burning of vegetative material,** the applicant shall apply for and obtain a burn permit from the APCD and Santa Margarita Fire Protection District. The application requires the submittal of a technical feasibility study.
- AQ-4 Prior to issuance of building permit for individual lot construction,** the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans prior to construction permit issuance:
- Reduce the amount of the disturbed area where possible.
 - Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
 - All dirt stock-pile areas should be sprayed daily as needed.
 - Permanent dust control measures shall be identified on construction plans and implemented as soon as possible following completion of any soil disturbing activities.

In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increase watering, as necessary, to prevent transport of dust off site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons all be provided to the APCD prior to land use clearance of map recordation and land use clearance for finish grading of the structure.

Cultural Resources

- CR-1 Prior to issuance of construction permits for development above 890 feet,** as shown on Exhibit C, the applicant shall submit a monitoring plan prepared by a subsurface qualified archaeologist, for the review and approval of the Environmental Coordinator. The monitoring plan shall include:
- List of personnel involved in the monitoring activities;
 - Description of how the monitoring shall occur;
 - Description of frequency of monitoring (e.g. full-time, part time, spot checking);
 - Description of what resources are expected to be encountered;
 - Description of circumstances that would result in the halting of work at the project site (e.g. what is considered "significant" archaeological resources?);

- f. Description of procedures for halting work on the site and notification procedures;
- g. Description of monitoring reporting procedures.

CR-2 In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:

- 1) Construction activities shall cease, and the Environmental Coordinator and Department of Planning and Building shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
- 2) In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Environmental Coordinator and Department of Planning and Building so that proper disposition may be accomplished.

Noise

- N-1 Prior to issuance of construction permits for individual lot development,** the applicant shall show on all applicable plans the 60 dbA threshold boundary (139-foot line as measured from the Highway 58 centerline). Design and location of future residences shall be such that all outdoor activity areas shall be outside of this threshold boundary.

Wastewater

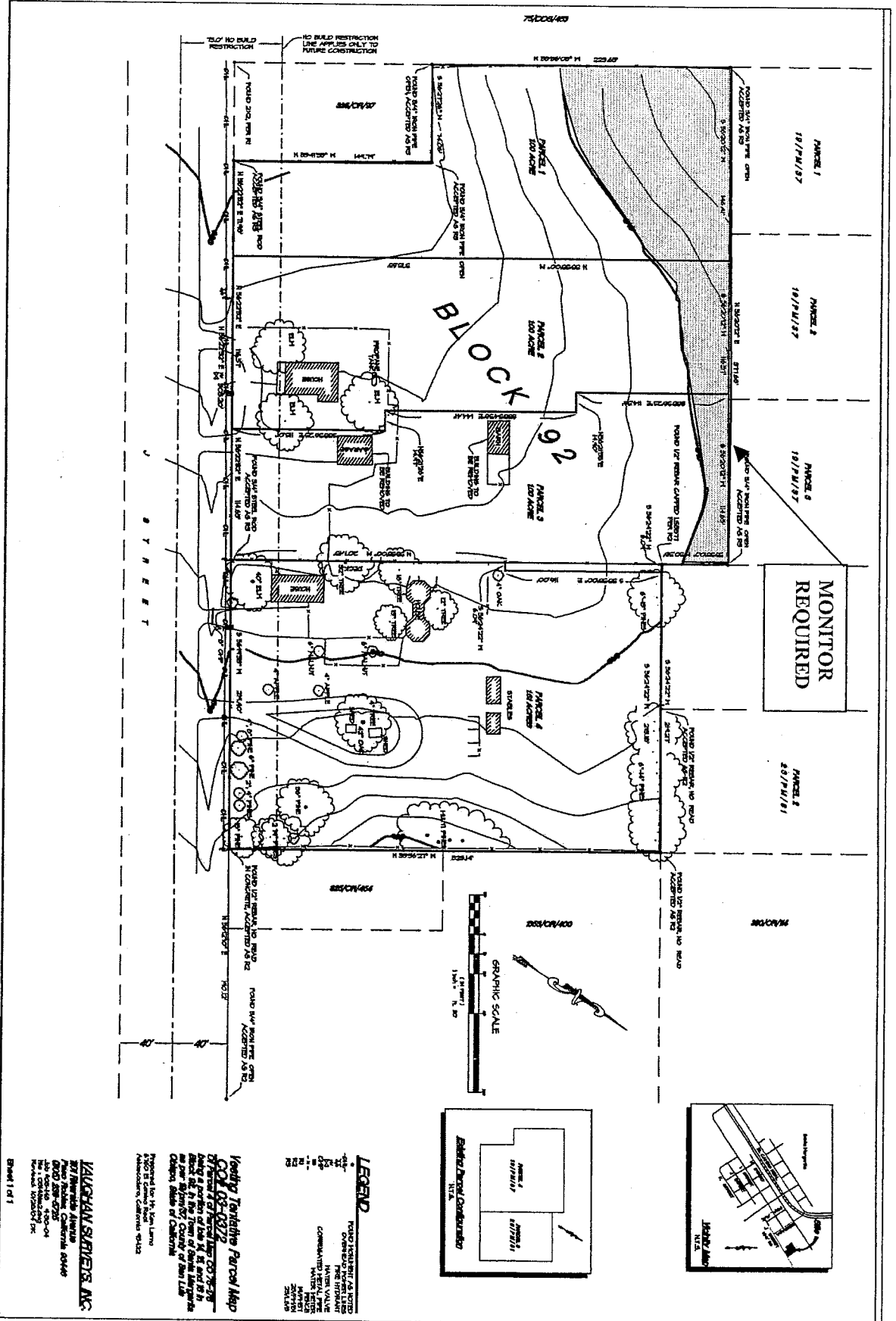
- WW-1 Prior to recordation of the final map,** the applicant shall complete soil testing for each vacant lot to include a minimum of three (3) percolation tests and a deep soil boring to the satisfaction of Environmental Health.

Wastewater

- W-2 To conserve water, future development** shall comply with County's Title 19 (Building and Construction Ordinance, Sec. 19.20.240), which requires the following water-conserving fixtures for domestic use: toilets limited to 1.6 gallons/flush; showerheads and faucets limited to 2.75 gallons/ minute; spas and hot tubs shall use recirculating systems; and water supply piping shall be installed so each dwelling unit may be served by a separate water meter.

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EXHIBIT C- SENSITIVE AREAS MAP



**DEVELOPER'S STATEMENT FOR THE
KREGGER PARCEL MAP; S030159P**

The applicant agrees to incorporate the following measures into the project. These measures become a part to the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

AIR QUALITY

AQ-1 Prior to removal or relocation of utility pipelines or buildings, the applicant shall notify the APCD and submit an asbestos survey prepared by a qualified individual. Contact Tim Fuhs of the APCD Enforcement Division at 781-5912.

Monitoring: The Department of Planning and Building, in consultation with APCD, shall verify compliance.

AQ-2 Prior to issuance of construction permits for individual lot development and soil disturbance, the applicant shall conduct a geologic investigation for naturally occurring asbestos on the project site. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to: 1) an Asbestos Dust Mitigation Plan which must be approved by the APCD before construction begins, and 2) an Asbestos Health and Safety Program may be required.

Monitoring: The Department of Planning and Building, in consultation with APCD, shall verify required asbestos measures.

AQ-3 Prior to developmental burning of vegetative material, the applicant shall apply for and obtain a burn permit from the APCD and Santa Margarita Fire Protection District. The application requires the submittal of a technical feasibility study.

Monitoring: The Department of Planning and Building, in consultation with the APCD, shall verify compliance.

AQ-4 Prior to issuance of building permit for individual lot construction, the following measures shall be incorporated into the construction phase of the project and shown on all applicable plans prior to construction permit issuance:

- a. Reduce the amount of the disturbed area where possible.
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
- c. All dirt stock-pile areas should be sprayed daily as needed.
- d. Permanent dust control measures shall be identified on construction plans and implemented as soon as possible following completion of any soil disturbing activities.

In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increase watering, as necessary, to prevent transport of dust off site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons all be provided to the APCD prior to land use clearance of map recordation and land use clearance for finish grading of the structure.

Monitoring: The Department of Planning and Building, in consultation with APCD, shall verify compliance.

CULTURAL RESOURCES

CR-1 Prior to issuance of construction permits for development above 890 feet, as shown on Exhibit C of the Initial Study for the proposed project, the applicant shall submit a monitoring plan prepared by a subsurface qualified archaeologist, for the review and approval of the Environmental Coordinator. The monitoring plan shall include:

- a. List of personnel involved in the monitoring activities;
- b. Description of how the monitoring shall occur;
- c. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
- d. Description of what resources are expected to be encountered;
- e. Description of circumstances that would result in the halting of work at the project site (e.g. what is considered "significant" archaeological resources?);
- f. Description of procedures for halting work on the site and notification procedures;
- g. Description of monitoring reporting procedures.

Monitoring: The County Department of Planning and Building shall verify compliance, receipt of monitoring plan, and required documentation.

CR-2 In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:

- a. Construction activities shall cease, and the Environmental Coordinator and Department of Planning and Building shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
- b. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Environmental Coordinator and Department of Planning and Building so that proper disposition may be accomplished.

Monitoring: The County Department of Planning and Building shall verify compliance.

NOISE

N-1 Prior to issuance of construction permits for individual lot development, the applicant shall show on all applicable plans the 60 dbA threshold boundary (139-foot line as measured from the Highway 58 centerline). Design and location of future residences shall be such that all outdoor activity areas shall be outside of this threshold boundary.

Monitoring: The County Department of Planning and Building shall verify compliance.

WASTEWATER

WW-1 Prior to recordation of the final map, the applicant shall complete soil testing for each vacant lot to include a minimum of three (3) percolation tests and a deep soil boring to the satisfaction of Environmental Health.

Monitoring: The Department of Planning and Building, in consultation with the Environmental Health Division, shall verify compliance.

WASTEWATER

W-1 To conserve water, future development shall comply with County's Title 19 (Building and Construction Ordinance, Sec. 19.20.240), which requires the following water-conserving fixtures for domestic use: toilets limited to 1.6 gallons/flush; showerheads and faucets limited to 2.75 gallons/ minute; spas and hot tubs shall use recirculating systems; and water supply piping shall be installed so each dwelling unit may be served by a separate water meter.

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Monitoring: The Department of Planning and Building, in consultation with the Environmental Health Division, shall verify compliance.

The applicant understands that any changes made to the project subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

*For Lee Kogee by Kenneth E. Lemo hee
altering in fact. Christopher Kogee by Kenneth E. Lemo
this altering in fact*
Kenneth E. Lemo
Signature of Owner(s)

7-7-05
Date

Kenneth E. Lemo
Name (Print)